



General Assembly

January Session, 2019

***Raised Bill No. 824***

LCO No. 3740



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING MENTAL HEALTH CARE AND WELLNESS  
TRAINING AND SUICIDE PREVENTION FOR POLICE OFFICERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) No law enforcement  
2 unit, as defined in section 7-294a of the general statutes, shall  
3 discharge, discipline, discriminate against or otherwise penalize a  
4 police officer, as defined in said section, who is employed by such law  
5 enforcement unit solely because the police officer seeks or receives  
6 mental health care services or surrenders his or her firearm,  
7 ammunition or electronic defense weapon used in the performance of  
8 the police officer's official duties to such law enforcement unit during  
9 the time the police officer receives mental health care services. The  
10 provisions of this subsection shall not be applicable to a police officer  
11 who (1) seeks or receives mental health care services to avoid  
12 disciplinary action by such law enforcement unit, or (2) refuses to  
13 submit himself or herself to an examination as provided in subsection  
14 (b) of this section.

15 (b) Prior to returning a surrendered firearm, ammunition or

16 electronic defense weapon used in the performance of the police  
17 officer's official duties to a police officer, such law enforcement unit  
18 shall request the police officer to submit himself or herself to an  
19 examination by a licensed mental health care provider, psychiatrist or  
20 psychologist from the list published pursuant to subsection (a) of  
21 section 2 of this act if the police officer is employed by the state or  
22 subsection (b) of section 2 of this act if the police officer is employed by  
23 a municipal police department, as the case may be. The examination  
24 shall be performed to determine whether the police officer is ready to  
25 report for official duty and shall be paid for by such law enforcement  
26 unit.

27 (c) No civil action may be brought against a law enforcement unit  
28 for damages arising from actions taken by a police officer using his or  
29 her personal firearm during the time period the police officer does not  
30 possess his or her firearm used in the performance of the police  
31 officer's official duties or for a period of six months after the police  
32 officer surrenders his or her firearm used in the performance of the  
33 police officer's official duties to the law enforcement unit, whichever is  
34 longer.

35 Sec. 2. (NEW) (*Effective from passage*) (a) Not later than October 1,  
36 2019, the Commissioner of Emergency Services and Public Protection,  
37 the Police Officer Standards and Training Council established under  
38 section 7-294b of the general statutes and representatives from labor  
39 organizations representing police officers in this state shall develop  
40 and thereafter maintain a list of licensed mental health care providers,  
41 psychiatrists or psychologists in the state. Such list shall be published  
42 on the Department of Emergency Services and Public Protection's  
43 Internet web site.

44 (b) Not later than October 1, 2019, for each municipality with a  
45 police department, the municipal police department and  
46 representatives from labor organizations representing the  
47 municipality's police officers shall develop and thereafter maintain a

48 list of licensed mental health care providers, psychiatrists or  
49 psychologists in the state. Such list shall be published on the  
50 municipality's Internet web site.

51 Sec. 3. Subsection (a) of section 53a-217 of the general statutes is  
52 repealed and the following is substituted in lieu thereof (*Effective*  
53 *October 1, 2019*):

54 (a) A person is guilty of criminal possession of a firearm,  
55 ammunition or an electronic defense weapon when such person  
56 possesses a firearm, ammunition or an electronic defense weapon and  
57 (1) has been convicted of a felony committed prior to, on or after  
58 October 1, 2013, or of a violation of section 21a-279, 53a-58, 53a-61, 53a-  
59 61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d  
60 committed on or after October 1, 2013, (2) has been convicted as  
61 delinquent for the commission of a serious juvenile offense, as defined  
62 in section 46b-120, (3) has been discharged from custody within the  
63 preceding twenty years after having been found not guilty of a crime  
64 by reason of mental disease or defect pursuant to section 53a-13, (4)  
65 knows that such person is subject to (A) a restraining or protective  
66 order of a court of this state that has been issued against such person,  
67 after notice has been provided to such person, in a case involving the  
68 use, attempted use or threatened use of physical force against another  
69 person, or (B) a foreign order of protection, as defined in section 46b-  
70 15a, that has been issued against such person in a case involving the  
71 use, attempted use or threatened use of physical force against another  
72 person, (5) (A) has been confined on or after October 1, 2013, in a  
73 hospital for persons with psychiatric disabilities, as defined in section  
74 17a-495, within the preceding sixty months by order of a probate court,  
75 or with respect to any person who holds a valid permit or certificate  
76 that was issued or renewed under the provisions of section 29-28 or 29-  
77 36f in effect prior to October 1, 2013, such person has been confined in  
78 such hospital within the preceding twelve months, or (B) has been  
79 voluntarily admitted on or after October 1, 2013, to a hospital for  
80 persons with psychiatric disabilities, as defined in section 17a-495,

81 within the preceding six months for care and treatment of a psychiatric  
82 disability and not (i) solely for being an alcohol-dependent person or a  
83 drug-dependent person as those terms are defined in section 17a-680,  
84 or (ii) a police officer who has been voluntarily admitted and had the  
85 firearm, ammunition or electronic defense weapon returned in  
86 accordance with section 1 of this act, (6) knows that such person is  
87 subject to a firearms seizure order issued pursuant to subsection (d) of  
88 section 29-38c after notice and an opportunity to be heard has been  
89 provided to such person, or (7) is prohibited from shipping,  
90 transporting, possessing or receiving a firearm pursuant to 18 USC  
91 922(g)(4). For the purposes of this section, "convicted" means having a  
92 judgment of conviction entered by a court of competent jurisdiction,  
93 "ammunition" means a loaded cartridge, consisting of a primed case,  
94 propellant or projectile, designed for use in any firearm, and a motor  
95 vehicle violation for which a sentence to a term of imprisonment of  
96 more than one year may be imposed shall be deemed an unclassified  
97 felony.

98 Sec. 4. Subsection (a) of section 53a-217c of the general statutes is  
99 repealed and the following is substituted in lieu thereof (*Effective*  
100 *October 1, 2019*):

101 (a) A person is guilty of criminal possession of a pistol or revolver  
102 when such person possesses a pistol or revolver, as defined in section  
103 29-27, and (1) has been convicted of a felony committed prior to, on or  
104 after October 1, 2013, or of a violation of section 21a-279, 53a-58, 53a-  
105 61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-  
106 181d committed on or after October 1, 1994, (2) has been convicted as  
107 delinquent for the commission of a serious juvenile offense, as defined  
108 in section 46b-120, (3) has been discharged from custody within the  
109 preceding twenty years after having been found not guilty of a crime  
110 by reason of mental disease or defect pursuant to section 53a-13, (4) (A)  
111 has been confined prior to October 1, 2013, in a hospital for persons  
112 with psychiatric disabilities, as defined in section 17a-495, within the  
113 preceding twelve months by order of a probate court, or has been

114 confined on or after October 1, 2013, in a hospital for persons with  
 115 psychiatric disabilities, as defined in section 17a-495, within the  
 116 preceding sixty months by order of a probate court, or, with respect to  
 117 any person who holds a valid permit or certificate that was issued or  
 118 renewed under the provisions of section 29-28 or 29-36f in effect prior  
 119 to October 1, 2013, such person has been confined in such hospital  
 120 within the preceding twelve months, or (B) has been voluntarily  
 121 admitted on or after October 1, 2013, to a hospital for persons with  
 122 psychiatric disabilities, as defined in section 17a-495, within the  
 123 preceding six months for care and treatment of a psychiatric disability  
 124 and (i) not solely for being an alcohol-dependent person or a drug-  
 125 dependent person as those terms are defined in section 17a-680, or (ii)  
 126 a police officer who has been voluntarily admitted and had the pistol  
 127 or revolver returned in accordance with section 1 of this act, (5) knows  
 128 that such person is subject to (A) a restraining or protective order of a  
 129 court of this state that has been issued against such person, after notice  
 130 has been provided to such person, in a case involving the use,  
 131 attempted use or threatened use of physical force against another  
 132 person, or (B) a foreign order of protection, as defined in section 46b-  
 133 15a, that has been issued against such person in a case involving the  
 134 use, attempted use or threatened use of physical force against another  
 135 person, (6) knows that such person is subject to a firearms seizure  
 136 order issued pursuant to subsection (d) of section 29-38c after notice  
 137 and an opportunity to be heard has been provided to such person, (7)  
 138 is prohibited from shipping, transporting, possessing or receiving a  
 139 firearm pursuant to 18 USC 922(g)(4), or (8) is an alien illegally or  
 140 unlawfully in the United States. For the purposes of this section,  
 141 "convicted" means having a judgment of conviction entered by a court  
 142 of competent jurisdiction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section
Sec. 2	<i>from passage</i>	New section

Sec. 3	October 1, 2019	53a-217(a)
Sec. 4	October 1, 2019	53a-217c(a)

**Statement of Purpose:**

To promote mental health and wellness training and suicide prevention for police officers in the state.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*